

## **REMARKS**

As a preliminary matter, Applicant respectfully traverses the outstanding Office Action (Paper No. 16) as being non-responsive. Section 707.07(f) of the MPEP places a burden upon the Examiner, when repeating a previous rejection, to first answer the substance of all arguments presented by Applicant traversing such a rejection. In the present case, however, the Examiner has not done so.

Applicant's Admitted Prior Art ("the AAPA") still remains the only basis cited by the Examiner for teaching or suggesting several features of the present invention. Applicant presented several meritorious arguments on pages 4 through 10 of Amendment B, filed April 29, 2003, describing how the AAPA neither teaches nor suggests several features of the present invention, and how it even teaches away from the present invention. The Examiner has not responded to a single argument from these seven pages of Amendment B, which is incorporated by reference herein. Accordingly, the outstanding Office Action should be vacated, and the Examiner should be required to either respond to the arguments traversing the Section 103 rejection based in part on the AAPA, or withdraw the rejection in its entirety.

The Specification stands objected to for informalities. In response, Applicant respectfully points the Examiner to Amendment A, which was filed by Applicant on November 6, 2002. The misspelling informalities noted by the Examiner had already been corrected in Amendment A. Withdrawal of this objection is therefore respectfully requested.

Claims 3-5 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Applicant has corrected the noted grammatical errors, and respectfully traverses in light of this amendment. Reconsideration and withdrawal of this rejection are respectfully requested.

Claims 1-5 stand rejected under 35 U.S.C. 103(a) as being unpatentable over the AAPA in view of Watanuki (U.S. 6,532,646). Applicant respectfully traverses this rejection for the reasons of record, and as follows. Neither of the cited references, whether taken alone or in combination, discloses or suggests that a wafer is cut into at least one raw bar while its thickness is greater than the length of the head.

As discussed above, Applicant respectfully requests that the Examiner answer the arguments from Amendment B, as well as those arguments from previous Amendment A that were later misquoted by the Examiner in Paper No. 12. Applicant requests that the Examiner consider those arguments, and withdraw this Section 103 rejection. Additionally, although Applicant does not agree that the Examiner's proposed combination is proper, or that the AAPA discloses the features asserted by the Examiner with respect to claims 1-5 of the present invention, Applicant has further amended independent claim 1 to clarify those features of claim 1 already recited, and previously discussed. Applicant therefore respectfully requests that the Examiner consider the following new arguments and comments expanding upon the previous arguments, in light of this amendment.

On page 3 of Paper No. 16, the Examiner has again neglected to examine all of the recited claim language of claim 1 of the present invention. As previously discussed, claim 1 does not merely recite a wafer having a thickness greater than the length of the slider, as implied by the Examiner. In fact, claim 1 actually recites that a wafer, which has a thickness greater than the length of a slider, is cut into at least one raw bar. In other words, the recited cutting is performed on a wafer having this greater thickness. The AAPA, on the other hand, expressly teaches the opposite. No cutting is performed on the prior art wafer until its thickness is first reduced to something entirely beyond the scope of claim 1 of the present invention. It is inappropriate for the Examiner to exclude significant and critical claim language of the present invention when attempting to form a *prima facie* case of obviousness against the present invention. The exclusion is particularly inappropriate when the excluded language is critical to the patentability of the claimed invention.

In the interest in expediting prosecution, however, Applicant has further amended claim 1 of the present invention to more specifically clarify that the recited wafer is cut into at least one raw bar while the thickness of the wafer is greater than the length of the slider. Although Applicant submits that this additional claim language is redundant in light of the original claim itself, as well as Applicant's previous arguments, such an amendment to the claim expressly clarifies how the AAPA teaches directly the opposite to the present invention, and therefore cannot form the basis of any obviousness rejection against the

present invention. Accordingly, for at least these reasons, the Section 103 rejection based at least in part on the AAPA is respectfully traversed.

Watanuki has been cited by the Examiner merely for teaching the alignment and removal of the dummy sections after the formation process. Watanuki has not been cited for teaching that a wafer having a thickness greater than the length of the slider is cut into at least one raw bar while the thickness is still greater than the slider length. Because this reference also fails to teach or suggest such features as in the present invention, the Section 103 rejection is further traversed.

Additionally, the Examiner has failed to respond to any of Applicant's previous arguments traversing how the additional examination of claim 6 only would place any serious burden upon the Examiner. Again, as previously discussed, the Examiner is required to establish how the examination of this single claim creates a serious burden, as opposed to any additional burden. Not every additional burden in examination rises to the level of a "serious burden," which the law requires the Examiner to establish in maintaining this restriction requirement. Because the Examiner has not established how this minor burden is a serious burden, and because the Examiner has not responded to any of Applicant's arguments traversing this requirement, the restriction of claim 6 of the present invention should be withdrawn, and claim 6 should be examined in its entirety.

For all of the foregoing reasons, Applicant submits that this Application, including claims 1-6, is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.


Respectfully submitted,

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